

**RAILROAD COMMISSION OF TEXAS
GAS SERVICES DIVISION**

**GAS UTILITIES
INFORMATION BULLETIN**

No. 717



**RAILROAD COMMISSION
OF TEXAS**

**Michael L. Williams, Chairman
Charles R. Matthews, Commissioner**

**Steve Pitner
Director
Gas Services Division**

February 10, 2003

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
SECTION 1 - NEW APPEALS AND APPLICATIONS FILED AND CASES REFERRED TO SOAH.....	2
SECTION 2 - APPEALS AND APPLICATIONS SET FOR HEARING	3
SECTION 3 - STATUS OF PENDING CASES.....	3
SECTION 4 - NOTICES OF DISMISSAL	3
SECTION 5 - ORDERS OF THE COMMISSION	4-9
SECTION 6 - MISCELLANEOUS	10-21
Order Setting Interim Rates in GUD No. 9362: Inquiry into the Rate and Services of Texas Natural Gas Company.	

SECTION 1
NEW APPEALS AND APPLICATIONS FILED

DOCKET NO.	--	9364
CAPTION	--	Joint petition of Centerpoint Energy Entex and the City of Tyler for review of changes for gas sales.
DATE FILED	--	1/29/2003
FILED BY	--	John R. Hays, Jr.
EXAMINER	--	Michelle Lingo
DOCKET NO.	--	9365
CAPTION	--	Statement of Intent Filed by TXU Gas Distribution to Increase Rates in the Environs of the Cities of the Dallas Region Distribution System.
DATE FILED	--	1/31/2003
FILED BY	--	Miles F. Reynolds
EXAMINER	--	Michelle Lingo
DOCKET NO.	--	9366
CAPTION	--	Statement of Intent Filed by TXU Gas Distribution to Increase Rates in the Environs of the Cities in the West Region Distribution System.
DATE FILED	--	1/31/2003
FILED BY	--	Myles F. Reynolds
EXAMINER	--	John Chakales
DOCKET NO.	--	9367
CAPTION	--	Application of Amarillo Natural Gas, Inc. for review of the acquisition of assets from Oneok WesTex Transmission, L.P.
DATE FILED	--	2/3/2003
FILED BY	--	Joe E. McClendon
EXAMINER	--	Mark Brock
DOCKET NO.	--	9368
CAPTION	--	Application of Conoco, Inc. for review of the sale of two companies, Raptor Natural Plains Energy Services, LLC and Raptor Natural Gathering and Processing, LLC to J. L. Davis Company.
DATE FILED	--	1/14/2003
FILED BY	--	Allan Knopp
EXAMINER	--	Jackie Standard
DOCKET NO.	--	9369
CAPTION	--	Application of EPGT Texas Pipeline, L.P. for review of the contribution of assets from EPGT Texas Management Company.
DATE FILED	--	2/03/2003
FILED BY	--	Kathy McCoy
EXAMINER	--	Jackie Standard
DOCKET NO.	--	9370
CAPTION	--	Statement of Intent Filed by TXU Gas Distribution to Change Rates in the Environs of the South Region Distribution System.
DATE FILED	--	2/10/2003
FILED BY	--	Myles F. Reynolds
EXAMINER	--	John Chakales

DOCKET NO. -- 9371
CAPTION -- New 16 TAC Section 8.120 Relating to Notice of New Pipeline Construction Across more than Three Counties.
DATE FILED -- 2/13/2003
FILED BY -- Commission's Own Motion
EXAMINER -- Mary Ross McDonald

CASES REFERRED TO SOAH

DOCKET NO. -- 9291
CAPTION -- Request of Texas General Land Office for immediate action to stay abandonment and for establishment of transportation rate on Panther Pipeline, LTD.
DATE REFERRED TO SOAH -- 06/28/2002
SOAH DOCKET NO. -- 455-02-3446
SOAH ALJ -- Wendy Harvel

DOCKET NO. -- 9313
CAPTION -- Petition for review of TXU Gas Distribution from the actions of the City of Arlington, et al.
DATE REFERRED TO SOAH -- 08/21/2002
SOAH DOCKET NO. -- 455-02-4058
SOAH ALJ -- Kerry Sullivan

SECTION 2

APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING CONFERENCE

None at this time.

SECTION 3

STATUS OF PENDING CASES

DOCKET NO. -- 9353
CAPTION -- TXU Gas Distribution Statement of Intent to Change Rates in the Environs of the Cities in the Hill Country Distribution System.
DATE OF ACTION -- February 11, 2003
STATUS -- Rates suspended for 150 days.
EXAMINER -- Michelle Lingo

DOCKET NO. -- 9361
CAPTION -- TXU Gas Distribution Statement of Intent to Change Rates in the Environs of the Cities in the East Region Distribution System.
DATE OF ACTION -- February 11, 2003
STATUS -- Rates suspended for 150 days.
EXAMINER -- Michelle Lingo

SECTION 4

NOTICES OF DISMISSAL

None at this time.

SECTION 5
ORDERS OF THE COMMISSION

**INQUIRY INTO THE RATES AND SERVICES
OF TEXAS NATURAL GAS COMPANY**

§
§
§

GAS UTILITIES DOCKET NO. 9362

ORDER SETTING INTERIM RATES

The Railroad Commission of Texas (Commission) duly posted Notice of Open Meeting to consider this Order with the Secretary of State within the time provided by law pursuant to TEX. GOV'T CODE ANN. Chapter 551 (Vernon 1994 and Vernon Supp. 2003). The Railroad Commission of Texas adopts the following findings of fact and conclusions of law and orders as follows:

FINDINGS OF FACT

1. Texas Natural Gas Company (TNG) owns and operates the natural gas distribution system serving the City of Crowell, Texas and its environs, which includes customers in Foard County and in the unincorporated town of Thalia, Texas.
2. As of December, 2002, TNG was providing gas service to 470 residential customers, 59 small commercial customers and 17 public authority customers.
3. The last rate increase for TNG was granted on March 20, 2001, by Final Order issued in GUD No. 9184.
4. At the time rates were set by the Commission in GUD No. 9184, TNG's entire gas supply was provided by an affiliate, Corvette Oil Company (Corvette).
5. The cost of gas is embedded and fixed in the current rates of TNG at \$0.52 per Mcf. There is no mechanism in TNG's existing rates or rate structure whereby TNG can recover the costs of purchasing third party non-affiliate gas at amounts greater than \$0.52 per Mcf.
6. Currently, Corvette operates two shallow gas wells in the Thalia field, from which it supplies low Btu gas to TNG. These wells are rapidly declining in gas produced and in operating pressure.
7. On or about Friday, January 17, 2003, TNG's gas supply began to decline to the extent that TNG officials became concerned that TNG's gas supply would be lost and the company would be unable to supply customers through the upcoming weekend.
8. Staff worked with TNG and other gas producers in the Thalia field to take immediate action to prevent loss of supply to customers and to secure a more reliable gas supply for the utility on an interim basis.
9. On January 18, 2003, arrangements for a temporary alternative gas supply were made with MB Exploration (MBE), a producer of wells in the Thalia field. That supply source continued to be available until January 21, 2003.
10. On January 22, 2003, alternative arrangements for a temporary gas supply were made with Palmer Exploration (Palmer), successor operator to MBE, and that gas supply was made available to serve the TNG system. On January 29, 2003, a disconnect and reconnect were made by Palmer to allow production that had been idled by the temporary connection to be resumed. That connection continues to provide the gas that is now being used to supply the TNG system.
11. On January 31, 2003, the City of Crowell issued City Ordinance No. 2003-01, and thereby ceded jurisdiction over gas utility rates, operations, and services to the Commission. A copy of City Ordinance No. 2003-01 is attached hereto as Exhibit A.
12. Commission staff initiated this docket in order to begin an inquiry into the rates and services of TNG.

13. Reasonable notice to customers was provided by publishing notice in a local newspaper of general circulation on February 6, 2003, and by mailing notice to the environs customers.
14. Given the facts set out above, it is unreasonable for TNG's rates to limit the recoverable purchased cost of gas from third party non-affiliated sources to a fixed embedded rate of \$0.52 per Mcf.
15. It is reasonable to amend TNG's current tariff on an interim basis by adding the Purchased Gas Adjustment clause, attached hereto as Exhibit B, which will allow recovery of gas costs from third party non-affiliated sources. This amendment will allow current gas costs to be recovered through rates while a permanent solution to TNG's supply problems is being developed.

CONCLUSIONS OF LAW

1. TNG is a gas utility as defined in TEX. UTIL. CODE ANN. §§ 101.003(7), 121.001 (Vernon Supp. 2003) and is subject to the Commission's jurisdiction under TEX. UTIL. CODE ANN. §§ 104.001, 121.051 (Vernon 1998).
2. Pursuant to TEX. UTIL. CODE ANN. §102.001 (Vernon Supp. 2003), Commission has exclusive original jurisdiction over TNG.
3. Pursuant to TEX. UTIL. CODE ANN. § 103.003 (Vernon Supp. 2003), the City of Crowell, Texas, ceded jurisdiction over the rates, operations, and services of TNG as evidenced by Crowell City Ordinance No. 2003-01.
4. Pursuant to TEX. UTIL. CODE ANN. § 104.151 (Vernon 1998), reasonable notice of this proceeding was provided to the customers of TNG by publishing notice of this proceeding in a local newspaper of general circulation on February 6, 2003, and mailing notice to all environs customers and customers in the unincorporated town of Thalia.
5. TNG's current tariff, which only provides for recovery of \$0.52 per Mcf for gas costs, is unreasonable under current conditions which require purchase of third party unaffiliated gas; amendment of TNG's tariff is therefore authorized by TEX. UTIL. CODE ANN. §104.151 (Vernon Supp. 2003).
6. The Commission on its own motion has the authority to establish a Purchase Gas Adjustment clause in the tariffs of TNG pursuant to TEX. UTIL. CODE ANN. § 104.151 (Vernon 1998).
7. The Purchased Gas Adjustment clause recommended in the findings of fact is reasonable pursuant to TEX. UTIL. CODE ANN. § 104.151 (Vernon 1998).

IT IS THEREFORE ORDERED BY THE RAILROAD COMMISSION OF TEXAS that Texas Natural Gas Company's tariff be amended in the interim to include the Purchased Gas Adjustment clause attached hereto as Exhibit B.

IT IS FURTHER ORDERED that all revenues received by Texas Natural Gas Company under the Purchased Gas Adjustment clause shall only be used to purchase gas from third party, non-affiliated entities; such purchases may be made directly by Texas Natural Gas Company or through its affiliate, Corvette Oil Company.

IT IS FURTHER ORDERED that Texas Natural Gas Company file with the Commission within five (5) days of this order a detailed implementation plan indicating how Texas Natural Gas Company intends to meet the immediate natural gas needs of current customers.

IT IS FURTHER ORDERED that Texas Natural Gas Company file with the Commission within thirty (30) days of this order a detailed plan indicating how Texas Natural Gas Company intends to meet the probable gas supply needs of its customers over the next five (5) years. The detailed plan to be submitted by Texas Natural Gas shall include, at a minimum, a timetable for each annual period specifying expected needed gas supplies, expected gas supply from affiliated entities, expected gas supply from third party non-affiliate sources, and financial data illustrating the company's ability to acquire needed gas supply.

IT IS FURTHER ORDERED that all requested relief not specifically granted herein is **DENIED**.

SIGNED this 11th day of February, 2003.

RAILROAD COMMISSION OF TEXAS

/s/
MICHAEL L. WILLIAMS
CHAIRMAN

/s/
CHARLES R. MATTHEWS
COMMISSIONER

ATTEST:

/s/ Kim Williamson
SECRETARY

EXHIBIT A

City of Crowell, Texas
Ordinance No. 2003-01

AN ORDINANCE RELATING TO THE SURRENDER TO THE TEXAS RAILROAD COMMISSION AND REINSTATEMENT TO THE CITY OF CROWELL, TEXAS, EXCLUSIVE ORIGINAL JURISDICTION OVER GAS UTILITY RATES, OPERATIONS AND SERVICES; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Crowell, Texas, has exclusive original jurisdiction over gas utility rates, operations, and services within the municipality, subject to the limitations imposed by the Texas Utilities Code;

AND WHEREAS, Section 103.003(a) of the Texas Utilities Code provides that a municipality may elect to surrender its jurisdiction to the Texas Railroad Commission by ordinance;

AND WHEREAS, Section 103.003(c) of the Texas Utilities Code provides that a municipality may not elect to surrender its jurisdiction while a case involving the municipality is pending;

AND WHEREAS, there is no pending case involving the City of Crowell, Texas, on the date of this ordinance;

AND WHEREAS, Section 103.003(d) of the Texas Utilities Code provides that a municipality which surrenders its jurisdiction to the Texas Railroad Commission may reinstate its jurisdiction by ordinance;

AND WHEREAS, the City Council of Crowell, Texas, finds and determines that it is advisable and in the best interests of the City to elect to surrender its jurisdiction to the Texas Railroad Commission in order to minimize the cost of evaluating gas utility rates, operations, and services within the municipality, to utilize the resources and expertise of the Texas Railroad Commission to evaluate gas utility rates, operations, and services within the municipality, and to allow gas utility rates, operations and services to be evaluated as a whole in one proceeding by consolidating the jurisdiction now split between the City and the Texas Railroad Commission;

AND WHEREAS, the City Council finds and determines that an emergency exists because of an impending shortage of gas supplied to Texas Natural Gas Company within the City of Crowell, Texas;

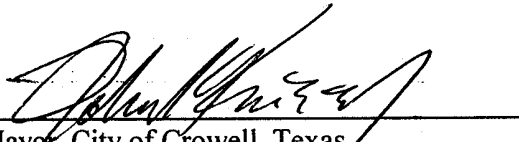
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWELL, TEXAS, that:

1. The findings contained in the preamble of this ordinance are determined to be true and are hereby adopted.
2. Pursuant to Section 103.003 of the Texas Utilities Code, the City of Crowell, Texas, hereby surrenders to the Texas Railroad Commission its original jurisdiction over gas utility rates, operations, and services within the City of Crowell, Texas. Provided, however, the City of Crowell, Texas, hereby reserves the right to monitor and participate as an interested party in any proceeding concerning gas utility rates, operations, and services within the City of Crowell, Texas. Provided further, the City of Crowell, Texas, hereby reserves the right to reinstate by ordinance its exclusive original jurisdiction over gas utility rates, operations, and services in the City of Crowell, Texas, upon the conclusion of any Texas Railroad Commission case.
3. The provisions of this ordinance shall be subject to any federal and state legislation, rules, or regulations, currently or hereafter enacted or adopted, to the extent that those laws and regulations preempt or supersede the authority of the City of Crowell, Texas.
4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of this ordinance and such holding shall not affect the validity of the remaining portions of this ordinance.
5. This ordinance shall take effect upon its passage and approval by the Mayor which day shall be the Effective Date.

6. This ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND ADOPTED this the 31 st day of January, 2003.

APPROVED this the 31 st day of January, 2003.


Mayor, City of Crowell, Texas

The effective date of the foregoing ordinance is January 31, 2003.

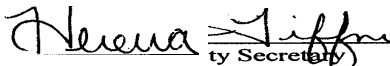

City Secretary

EXHIBIT B
PURCHASED GAS ADJUSTMENT CLAUSE

Gas bills issued under rate schedules to which this Purchased Gas Adjustment Clause (PGA) applies will include only adjustments to reflect an increase or decrease in purchased gas costs for additional gas supplies from third party non-affiliated gas sources, whether purchased directly by Texas Natural Gas Company or through an affiliate gas supplier. The PGA will not apply when affiliate gas production has met all customer demand requirements during the billing period; the amount of purchased gas costs that may be recovered for affiliated gas production are currently embedded in the base cost and will be recovered through base rates. Any such PGA shall be filed with the appropriate regulatory authority before the beginning of the month in which the adjustment will be applied to bills. The PGA cost to be applied to each Mcf billed shall be computed as follows and rounded to the nearest \$0.01:

Purchased Gas Adjustment = (Weighted Average Cost of Gas B Base Cost)

or

$$\text{PGA} = (\text{A} - \text{B})$$

Where:

A is the weighted average cost of gas (WACOG). WACOG is calculated in the following manner: non-affiliated gas cost plus affiliated gas cost divided by total volumes purchased equals the WACOG per Mcf.

B is the base cost of gas included in base rates (currently \$0.52 per Mcf).

The WACOG per Mcf minus the base cost of gas per Mcf equals the PGA cost per Mcf

Effective Date:

For service rendered on and after February 11, 2003

SECTION 6
MISCELLANEOUS

STEVE PITNER, GAS SERVICES DIVISION DIRECTOR

1. OFFICE OF THE DIRECTOR

A. Publications

1. Texas Utilities Code Titles 3 and 4. Special Rules of Practice and Procedure and Substantive Rules - \$15.00
2. a. Annual Report for Fiscal Year 2001 – Now available via the Commission’s website at:
<http://www.rrc.state.tx.us/divisions/gs/tablecontents01.html>
 - a. Annual Report for Fiscal Year 2000 - \$17.00 (includes statistical data for 1999)
 - b. Annual Report for Fiscal Year 1999 - \$9.00 (includes statistical data for 1998)
 - c. Annual Report for Fiscal Year 1998 - \$7.00 (includes statistical data for 1997)
3. **2002 Pipeline Safety Rules - \$13.00, includes: 49 CFR 191 & 192 and 16 TAC Sections 7.70-7.74 (gas) 49 CFR 193 (LNG); 49 CFR 195 and 16 TAC Sections 7.80-7.87 (hazardous liquids); 49 CFR 40 and 199 (drug testing).**
4. Distribution and/or Gas Transmission Review forms for Adequacy of Operation, Maintenance and Emergency Manual - To obtain a copy of review forms at no charge, send a request with a self addressed envelope (10" x 13"preferably) with \$0.98 postage.
5. Six MCF Monthly Residential Gas Bill Analysis for Twenty-five Texas Cities - \$2.00 – Now available via the Commission’s website at: <http://www.rrc.state.tx.us/divisions/gs/rap/sixmcf.html>

Anyone who wishes to obtain a copy of any of the publications or maps listed in Section A should contact the Gas Services Division, P. O. Box 12967, Austin, Texas 78711-2967, (512) 463-7167.

B. Interest Rate on Customer Deposits

We have been advised by the Public Utility Commission that the interest rate to be applied to customer deposits in calendar year 2003 is 6.00%. All gas utilities should use this rate.

2. PIPELINE SAFETY SECTION

- A. Austin Headquarters - William B. Travis Building
1701 North Congress, (78701)
PO Box 12967
Austin, Texas 78711-2967 Telephone (512) 463-7058

Mary L. McDaniel, P.E., Assistant Director
William (Bill) Dase, Jr., P.E., Engineer
Terry Pardo, P.E., Engineer
K. David Born, Field Operations Manager
Lee Thying, P.E., Engineer
Maurice Curd, Program Administrator

Amarillo Region 1 - 7102 IH-40 West, Bldg. C., Amarillo, Texas 79106 Telephone (806) 468-7486

Alan Mann, Engineering Specialist

Midland Region 2 - Petroleum Building, 214 West Texas, Suite 803, Midland, Texas 79701 Telephone (915) 570-5884

Glenn Taylor, Area Supervisor (Midland/Amarillo)

Larry Felio, P.E., Engineer

Keith Smith, Engineering Specialist

Tim Murray, Engineering Specialist (Abilene)

Kilgore Region 3 - 619 Henderson Boulevard, Kilgore, Texas 75662 Telephone (903) 984-8581

Bob Oldham, Engineering Specialist

James Alexander, Engineering Specialist

Jerry Hill, Engineering Specialist

Austin Region 4 - 1701 North Congress, P. O. Box 12967, Austin, Texas 78711 Telephone (512) 463-7050

Kendall Smith, Area Supervisor

Johnny Burgess, Engineering Specialist

Mark Arguelles, Program Administrator

Houston Region 5 - 1706 Seamist Drive, Ste 501, Houston, Texas 77008-3135 Telephone (713) 869-8425

Danny Nichols, Area Supervisor

Jerry Hoff, Engineering Specialist

Jim Arnold, Engineering Specialist

Randy Vaughn, Engineering Specialist

Gregory Johnson, Engineering Specialist

Frank Henderson, Engineering Specialist

John Jewett, Engineering Assistant

Dallas Region 6 - 1546 Rowlett Rd., Suite 107, Garland, Texas 75043 Telephone (972) 240-5757

Jody Kerl, P.E., Area Supervisor (Dallas/Kilgore)

M. Kathryn Williams-Guzman, Engineering Specialist

San Sein, Engineering Specialist

Terry Sullivan, Engineering Assistant

Corpus Christi Region 7 - 10320 IH-37, P.O. Box 10307, Corpus Christi, Texas 78460-0307 Telephone (361) 242-3117

Don Gault, Area Supervisor

Steven Rios, Engineering Specialist

Jesse Cantu, Jr., Engineering Specialist

Ronda Lauderman, Engineering Assistant

B. Monthly Summary (September)

No. of distribution safety evaluations – 75

No. of transmission safety evaluations - 38

No. of liquid safety evaluations - 19

No. of leak/calls - 49

No. of accident investigations - 2

No. of special investigations – 32

C. Reporting of Pipeline Accidents1) NATURAL GAS

Accidents on intrastate gas systems involving \$5,000 property damage, a fatality or injuries, gas ignition, or that are judged significant must be reported by telephone within two hours, and the written report filed within thirty (30) days. Call the 24-hour emergency phone number (512)463-6788 to report an accident. For your convenience this priority phone line is used only to report emergencies.

2) HAZARDOUS LIQUIDS

Accidents on intrastate hazardous liquid pipelines reportable under 49 CFR Sections 195.50 and 195.52 and 16 TAC Section 7.84(a) must be reported by telephone within two hours and the required written report filed within thirty (30) days. Call the 24-hour emergency phone number (512)463-6788 to report an accident. For your convenience this priority phone line is used only to report emergencies.

Rules and Regulations:

[Federal Register: February 3, 2003 (Volume 68, Number 22)]

[Notices]

[Page 5338-5340]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr03fe03-106]

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Pipeline Safety: Required Submission of Data to the National Pipeline Mapping System Under the Pipeline Safety Improvement Act of 2002

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice; issuance of advisory bulletin.

SUMMARY: The Office of Pipeline Safety (OPS) is issuing this advisory bulletin to owners and operators of natural gas transmission and hazardous liquid pipeline systems. The purpose of this bulletin is to advise pipeline operators of their responsibilities in complying with the Pipeline Safety Improvement Act of 2002. Specifically, this bulletin indicates the process for making new submissions of geospatial and operator contact information, updating previous submissions to the National Pipeline Mapping System (NPMS), and providing future submissions.

FOR FURTHER INFORMATION CONTACT: Sam Hall, (202) 493-0591; or by email, samuel.hall@rspa.dot.gov. Steve Fischer, (202) 366-6267; or by email at steven.fischer@rspa.dot.gov. This document can be viewed at the OPS

[[Page 5339]]

home page at <http://ops.dot.gov/new.htm>. Additional information about the NPMS and the "National Pipeline Mapping System Standards for Pipeline and Liquefied Natural Gas Operator Submissions" can be found at <http://www.npms.rspa.dot.gov>.

SUPPLEMENTARY INFORMATION:

I. Background

The National Pipeline Mapping System (NPMS) is a geographic information system (GIS) database that contains the locations and selected attributes of hazardous liquid and natural gas transmission pipelines, break-out tanks, and liquefied natural gas (LNG) facilities operating in onshore and DOT jurisdictional offshore territories of the United States. The NPMS was developed as a joint effort between the U.S. Department of Transportation, Research and Special Programs Administration's OPS, other Federal and State agencies, and the pipeline industry. The NPMS originally consisted of pipeline and LNG facility data voluntarily submitted by pipeline operators. The data collected for the NPMS is necessary for regulatory oversight and for monitoring the security of the pipelines. Therefore, public access to the data is limited.

The Pipeline Safety Improvement Act of 2002 (Pub. L. 107-355), 49 U.S.C. 60132, "National Pipeline Mapping System," enacted on December 17, 2002, requires the following:

(a) Information to be Provided--Not later than six months after the date of enactment of this section, the operator of a pipeline facility (except distribution lines and gathering lines) shall provide to the Secretary of Transportation the following information with

respect to the facility:

(1) Geospatial data appropriate for use in the National Pipeline Mapping System or data in a format that can be readily converted to geospatial data.

(2) The name and address of the person with primary operational control to be identified as its operator for purposes of this chapter.

(3) A means for a member of the public to contact the operator for additional information about the pipeline facilities it operates.

(b) Updates--A person providing information under subsection (a) shall provide to the Secretary updates of the information to reflect changes in the pipeline facility owned or operated by the person and as otherwise required by the Secretary.

In complying with this statutory requirement, please do the following:

Subsection (a): Information To Be Provided--Submit all pipeline data and contact information in accordance with the guidelines set forth in the NPMS operator standards document entitled "National Pipeline Mapping System Standards for Pipeline and Liquefied Natural Gas Operator Submissions" dated 2003. A complete data submission includes the geospatial data, attribute data, and metadata for all liquefied natural gas (LNG) and hazardous liquid and natural gas transmission pipeline systems operated by a company. The standards document is available for download from the NPMS website at <http://www.npms.rspa.dot.gov/submissions/standards.htm>

Subsection (a)(1): If a complete data submission was made to the NPMS prior to December 17, 2001, and any pipeline system modifications have occurred since the last submission, submit complete data to the NPMS by June 17, 2003. If a complete data submission was made to the NPMS prior to December 17, 2001, and no pipeline system modifications have occurred, send an email to opsgis@rspa.dot.gov stating that fact.

If a complete data submission was made to the NPMS on or after December 17, 2001, and if pipeline system modifications representing more than 5% of the total system mileage to be submitted to the NPMS have occurred, submit new complete data by June 17, 2003. If changes to the data submitted on or after December 17, 2001, affect less than 5% of the total system mileage submitted to the NPMS, submit an email to opsgis@rspa.dot.gov stating that fact by June 17, 2003. If only a partial data submission was made to the NPMS, before or after December 17, 2001, submit complete data to the NPMS by June 17, 2003. For LNG facilities, if any modifications to previously submitted data have occurred, submit new complete data by June 17, 2003. System modifications include pipelines or LNG facilities added or removed from a pipeline system and changes to any of the NPMS attributes (e.g., operator name, system name, commodity, status, etc.)

Pipeline operators may submit updated data in one of two ways depending on the format of their submission. For digital data, submit replacement data for an entire system. It is easier for pipeline operators submitting digital data to submit the entire pipeline system rather than making a partial update submission. In this case, all data that was previously submitted under the same operator ID will be updated with the new submission. For paper maps, submit replacement maps for those portions of a pipeline system that have changed. This option is available only for those pipeline operators who have to submit hard-copy maps.

Subsection (a)(2): Regardless of prior complete or partial data submissions to the NPMS, provide pipeline operator contact information for the pipelines submitted to the NPMS. The pipeline operator should identify and submit to the NPMS, contact information that the Office of Pipeline Safety will make available to the public for its use in contacting the operator. The format and procedures for submitting this contact information is available on the NPMS website and in the NPMS operator standards document.

Subsection (a)(3): OPS is developing an Internet-based tool that will allow the public to identify pipeline operators within a specific geographic area. The information provided to the NPMS under subsection (a)(2) will allow the public to contact pipeline operators with questions regarding their pipelines. The Internet-based tool will display a list of operator contacts, within the geographic area specified by the user, but will not render a map of the pipelines.

Subsection (b): Updates--Once a submission is made to comply with the June 17, 2003, statutory deadline, operators are required to make update submissions every twelve (12) months if any system modifications have occurred. If no modifications have occurred since the last complete submission (including operator contact information), send an email to opsgis@rspa.dot.gov stating that fact. Include operator contact information with all updates. Pipeline operators may update previous NPMS submissions in one of two ways. For digital data, submit replacement data for an entire system. For paper maps, submit replacement maps for those portions of pipeline systems that have changed. This option is available only for those pipeline operators who have to submit paper maps.

II. Advisory Bulletin (ADB-03-02)

To: Owners and Operators of Natural Gas Transmission and Hazardous Liquid Pipeline Systems.

Subject: Required Submission of Data to the National Pipeline Mapping System Under the Pipeline Safety Improvement Act of 2002.

Purpose: To advise pipeline operators of their responsibilities in complying with the Pipeline Safety Improvement Act of 2002.

This bulletin describes the process for making new submissions of geospatial and operator contact information and updating previous

[[Page 5340]]

submissions to the National Pipeline Mapping System (NPMS).

Advisory: Subsection (a): Submit geospatial and contact information in accordance with the guidelines set forth in the NPMS standards document entitled ``National Pipeline Mapping System Standards for Pipeline and Liquefied Natural Gas Operator Submissions' dated 2003.

The operators standards document is available for download from the NPMS website at <http://www.npms.rspa.dot.gov/submissions/standards.htm>.

Subsection (a)(1): If a complete data submission was made to the NPMS prior to December 17, 2001, and any pipeline system modifications have occurred since the last submission, submit complete data to the NPMS by June 17, 2003. If a complete data submission was made to the NPMS prior to December 17, 2001, and no pipeline system modifications have occurred, send an email to opsgis@rspa.dot.gov stating that fact. If a complete data submission was made to the NPMS on or after December 17, 2001, and if pipeline system modifications representing more than 5% of the total system mileage to be submitted to the NPMS have occurred, submit new complete data by June 17, 2003. If changes to the data submitted on or after December 17, 2001, affect less than 5% of the total system mileage submitted to the NPMS, submit an email to opsgis@rspa.dot.gov stating that fact by June 17, 2003. If only a partial data submission was made to the NPMS, before or after December 17, 2001, submit complete data to the NPMS by June 17, 2003. For LNG facilities, if any modifications since the last submission have occurred, submit new complete data by June 17, 2003.

Subsection (a)(2): Regardless of prior geospatial submissions to the NPMS, submit contact information for the pipelines represented in geospatial data submitted to the NPMS. The format for submitting this contact information is available in the NPMS operator standards document. This contact information will be in the public domain.

Subsection (a)(3): OPS is developing an Internet-based tool that will allow the public to identify pipeline operators within a specific geographic area. The information provided to the NPMS under subsection (a)(2) will allow the public to contact pipeline operators with questions regarding their pipelines. The Internet-based tool will display a list of operator contacts, within the geographic area specified by the user, but will not render a map of the pipelines.

Subsection (b): Once a submission is made to comply with the June 17, 2003, statutory deadline, operators are required to make update submissions every 12 months if any system modifications have occurred. If no modifications have occurred since the last complete submission (including operator contact information), send an email to opsgis@rspa.dot.gov stating that fact. Include operator contact information with all updates.

Issued in Washington, DC on January 24, 2003.
Stacey L. Gerard,
Associate Administrator for Pipeline Safety.
[FR Doc. 03-2449 Filed 1-31-03; 8:45 am]

BILLING CODE 4910-60-P

[Federal Register: February 7, 2003 (Volume 68, Number 26)]
[Proposed Rules]
[Page 6385-6386]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr07fe03-23]

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. RSPA-00-7666; Notice 5]
RIN 2137-AD54

Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Gas Transmission Pipelines)

AGENCY: Office of Pipeline Safety (OPS), Research and Special Programs
Administration (RSPA), DOT

ACTION: Notice of workshop.

SUMMARY: This notice announces a two-day workshop on proposed regulations on "Pipeline Integrity Management in High Consequence Areas", jointly organized by the Interstate Natural Gas Association of America (INGAA) Foundation and the American Gas Association (AGA). This workshop is intended to give participants an understanding of the integrity management program requirements being proposed in the rule and the process to comment on the proposed rulemaking. An OPS representative will give an overview of the proposed regulation and answer questions about it.

DATES: The workshop is open to all. There is no registration fee. This workshop will be held on February 20, 2003, from 8 a.m. to 5 p.m., and on February 21, 2003, from 8 a.m. to 12 noon.

ADDRESSES: The workshop will be held at the Renaissance Houston Hotel, 6 Greenway Plaza, Houston, Texas, 713-629-1200.

FOR FURTHER INFORMATION CONTACT: Contact Mike Israni by phone at (202) 366-4571, by e-mail at mike.israni@rspa.dot.gov. General information about RSPA/OPS programs may be obtained by accessing OPS's Internet page at <http://ops.dot.gov>. For other details on this workshop contact Linda A. Thomas of INGAA at 202-216-5925.

SUPPLEMENTARY INFORMATION:

Background

RSPA/OPS has just proposed a rule to require operators of gas transmission pipelines to develop integrity management programs. The programs include conducting baseline and periodic assessments of pipeline segments. This follows rulemaking that requires integrity management programs for hazardous liquid pipelines.

[[Page 6386]]

Although the hazardous liquid and natural gas programs are structured somewhat differently to accommodate the differences between the two types of pipeline systems, both integrity management programs are designed to identify the best method(s) for maintaining the structural soundness (i.e., integrity) of pipelines operating across the United States.

On January 9, 2002, RSPA/OPS began the integrity management rulemakings for gas transmission lines by proposing a definition

of high consequence areas (See 67 FR 1108). We finalized the high consequence area definition on August 6, 2002 (67 FR 50824). On January 28, 2003 (68 FR 4278), we proposed a new 49 CFR 192.763 setting out integrity management program requirements for gas transmission pipelines affecting those areas. The comment period for this proposal closes on March 31, 2003.

The INGAA Foundation and AGA are conducting this workshop to give participants a better understanding of the proposed rule's requirements as they are intended to apply to gas transmission pipelines, and the process to comment on the proposed rulemaking. An OPS representative will give an overview of the proposed regulation and answer questions related to it.

The preliminary agenda for this AGA/INGAA sponsored workshop on Integrity Management for Natural Gas Pipelines is as follows:

February 20, 2003

Pipeline Safety Legislation--An overview of the recently passed legislation and its impact on the proposed integrity management program requirements.

Overview of Proposed Regulation--An OPS representative will discuss the intent and structure of the recently published proposed integrity management rule for gas transmission pipelines.

HCA Identification--An industry panel will discuss the high consequence area definition and the proposed refinement of that definition in the proposed integrity management rule.

Risk Assessment--An industry panel will discuss the risk assessment process detailed in the proposed rulemaking and compare it to present practices.

Plan Development--An industry panel will discuss the plan development as envisioned in the proposed rule and compare it to present practices.

IMP Implementation & Data Integration--Issues surrounding data integration and implementing the administrative process in a company will be discussed by an industry group.

February 21, 2003

Mitigation & Repair--An industry panel will discuss the proposed requirements for mitigation and remediation.

Performance Metrics--An industry panel will discuss performance measures for an integrity management program.

Open Forum and O&A--The audience will be able to query all the panelists and state their opinions during this session. Because this involves an open rulemaking, RSPA/OPS will include detailed notes of this workshop in the docket for the proposed rule. However, participants wishing to comment on the proposed rule should comment directly in the docket rather than rely on the notes of the workshop.

Issued in Washington, DC, on February 3, 2003.

James K. O'Steen,

Deputy Associate Administrator for Pipeline Safety.

[FR Doc. 03-3079 Filed 2-6-03; 8:45 am]

BILLING CODE 4910-60-P

[Federal Register: February 12, 2003 (Volume 68, Number 29)]
[Notices]
[Page 7168]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr12fe03-84]

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration (RSPA)

[Docket No. RSPA-03-14448; Notice 2]

Pipeline Safety: Qualification of Pipeline Personnel

AGENCY: Office of Pipeline Safety, Research and Special Programs Administration, DOT.

ACTION: Notice of public meeting.

SUMMARY: The Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) will conduct a public meeting to discuss progress in implementing the operator qualification (OQ) rule for gas and hazardous liquid pipelines. OPS will continue to develop the protocols and guidance materials, and provide an opportunity for public comment. A panel of experts will address technical issues associated with protocols and related materials. A record of the previous public meeting on Qualification of Pipeline Personnel that was held in San Antonio, TX, is available in this docket (RSPA-03-14448).

DATES: The public meeting will be held on February 25, 26, and 27, 2003, beginning at 9 a.m. and will continue until 4 p.m.

ADDRESSES: The public meeting will be held at the Hyatt Regency Houston Airport Hotel, 15747 John F. Kennedy Blvd., Houston, TX 77032 (Tel: 800-233-1234); Fax: 281-590-8461; Web: www.houstonairport.hyatt.com.

This meeting is free and open to the public. You may register electronically for this meeting at: <http://primis.rspa.dot.gov/meetings>. The deadline for making a hotel reservation is February 17, 2003.

The program will address the 13 issues generated by the first public meeting held in January 2003, and will be open for technical input. This will include presentations on definitions of terms discussed at the last meeting. Persons wishing to make a presentation or statement at the meeting should notify Janice Morgan, (202) 366-2392, no later than February 19, 2003.

Although we encourage persons wishing to comment on operator qualification and inspection protocols to participate in the public meeting, written comments will be accepted. You may submit written comments on operator qualification and inspection issues by mail or delivery to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. The dockets facility is open from 10 a.m. to 5 p.m., Monday through Friday, except on Federal holidays. You should submit the original and one copy. Anyone who wants confirmation of receipt of their comments must include a stamped, self-addressed postcard. You may also submit comments to the docket electronically. To do so, log on to the Internet Web address <http://dms.dot.gov>. and click on "Help" for instructions on electronic filing of comments. All written comments should identify the docket number RSPA-03-14448; Notice 2.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comments (or signing the comments, if submitted on behalf of an association, business, labor union, etc.). You may review the U.S. Department of Transportation's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: You may contact Richard Sanders at (405) 954-7214 or (405) 954-7219, regarding the agenda of this public meeting. General information about OPS programs may be obtained by accessing OPS's Internet home page at <http://ops.dot.gov>. Information on Services for Individuals With Disabilities: For information on facilities or services for individuals with disabilities or to request special assistance, contact Janice Morgan, (202) 366-2392.

SUPPLEMENTARY INFORMATION: The operator qualification rules at 49 CFR 192.801 (for gas pipelines) and at 49 CFR 195.501 (for hazardous liquid pipelines) require every pipeline operator to have and follow a written qualification program that includes provisions to identify covered tasks and to ensure that all persons performing these tasks are qualified. By October 28, 2002, all gas and hazardous liquid pipeline operators should have completed the qualification of all individuals performing covered tasks on pipeline facilities.

On February 25, 26, and 27, 2003, OPS will conduct a public meeting to discuss progress in implementing the operator qualification rule for gas and hazardous liquid pipelines. OPS will present a detailed review of the development of the operator qualification inspection protocols.

The meeting will focus on areas considered high priority and discussion on compliance issues from Federal and State pipeline safety personnel. These issues, as identified at a previous public meeting on January 22, 2003, in San Antonio, TX, are as follows:

- (1) Scope of operator qualification;
- (2) Evaluation of knowledge, skills, and physical ability;
- (3) Re-evaluation intervals;
- (4) Maintenance versus new construction;
- (5) Treatment of emergency response;
- (6) Additional covered tasks;
- (7) Extent of documentation;
- (8) Abnormal operating conditions;
- (9) Treatment of training;
- (10) Criteria for small operators;
- (11) Direction and observation of non-qualified people;
- (12) Noteworthy practices;
- (13) Persons contributing to an incident or accident.

All persons attending the meeting will have an opportunity to comment on operator qualification compliance issues and to question the expert panel on the new operator qualification compliance protocols.

Issued in Washington, DC, on February 6, 2003.

James K. O'Steen,

Deputy Associate Administrator for Pipeline Safety.

[FR Doc. 03-3453 Filed 2-11-03; 8:45 am]

BILLING CODE 4910-60-P

AUDIT SECTION**A. Maintains headquarters and three district offices as follows:**

Headquarters - William B. Travis Building

1701 North Congress, P. O. Box 12967, Austin, Texas 78701

Ed Abrahamson, Assistant Director

Telephone (512) 463-7022

Dallas District- 1546 Rowlett Rd., Suite 107, Garland, Texas 75043

Telephone (972) 240-5757;

Fax (972) 303-1897

Stephen Cooper, Auditor

Josh Settle, Auditor

Austin District- P. O. Box 12967, Austin, Texas 78711-2967

Telephone (512) 463-7022

Houston District- 1706 Seamist Drive, Suite 501, Houston, Texas 77008-3135

Telephone (713) 869-8425;

Fax (713) 869-3219

Dale Francis, Auditor

Margie Stoney, Auditor

Konata Uzoma, Auditor

Lekisha Churchwell, Auditor

Larry Alcorn, Auditor

B. Gas Utility Tax, Annual Reports and Audit Reports

Questions relating to gas utility tax, annual reports and audit reports, call Shannon L. Miller at (512) 463-7022.

C. Available Information

Copies of company annual reports (1994 to present), as well as information relating to any of the above, A through C, are available for review at the William B. Travis Building, Gas Services Division, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of five days for completion of requests. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022, or Fax your request to (512) 475-3180.

4. REGULATORY ANALYSIS AND POLICY**A. Maintains the following office to assist you:**

Headquarters - William B. Travis Building

1701 North Congress, P.O. Box 12967, Austin, Texas 78711

Karl Nalepa, Assistant Director

Telephone (512) 463-7164

B. Gas Utilities Information BulletinPublished on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gs/rap/rapbls.html>.**C. Proposals For Decision**Published on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gs/rap/pfds.html>.**D. Tariff Filings**

Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Kathy Arroyo, Yolanda Lovelace or Sandra Soto at (512) 463-7164.

E. Curtailments

Curtailment questions should be referred to Sandra Soto at (512) 463-7164. Curtailment reports made Monday through Friday, 8:00 a.m. to 5:00 p.m., should be made to (512) 463-7164. Curtailment reports made during hours other than those specified above and holidays, should be made to (512) 463-6788, (512) 896-3863 (digital pager), (512) 892-1772 or (512) 280-5949.

F. Compliance Filings

Questions regarding gas utilities docket compliance filing requirements should be referred to Jackie Standard at (512) 463-7164.

G. Complaints and Inquiries

All complaints and inquiries relating to the gas utility industry should be directed to the Regulatory Analysis and Policy section at (512) 463-7164.

H. Rules and Regulations:

GUD No. 9221 Amendments to Quality of Service Rules

GUD No. 9253 New Rule for Relocation Cost Recovery Factor

GUD No. 9257 Amendments to §7.450 Gas Distribution in Mobile Home Parks, Apartment Houses and Apartment Units.

GUD No. 9275 Amendments to §7.512 NGPA Section 311 Rate Review

GUD No. 9276 Amendments to §7.511 TUC Section 102.054 Sale, Transfer, Merger Reviews

GUD No. 9277 Amendments to §7.305 Curtailment Rule

GUD No. 9303 Amendments to §7.465 Abandonment Rule

GUD No. 9334 Amendments to §7.310 System of Accounts

5. HEARINGS AND LEGAL ANALYSIS**A. Miscellaneous**

Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the Legal Division at (512) 463-7017.

B. Status of Pending Cases

The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the Legal Division at (512) 463-7017.